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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
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U.S. DISTRICT COURT, E.D.N.Y.

★ JAN 28 2008 ★

BROOKLYN OFFICE

----- X
AMERICAN AUTOMOBILE
ASSOCIATION,

Plaintiff,

-against-

AAA TRAVEL & TOURS, INC.

Defendant.
----- X

Civil Action No. CV 07/03702

*Default Judgment and
Permanent Injunction*

~~PROPOSED~~ JUDGMENT BY DEFAULT AND PERMANENT INJUNCTION

IT APPEARS FROM THE RECORD HEREIN THAT on September 4, 2007, Plaintiff American Automobile Association ("AAA") filed a Complaint against Defendant AAA Travel & Tours, Inc. On September 5, 2007, AAA served Defendant with a copy of the Summons and Complaint by personal delivery to Defendant's statutory agent for service of process, Rayman Aware, located at 77-02 34th Avenue, Apartment B11, Jackson Heights, New York 11372. Defendant's time to answer or otherwise defend expired on September 25, 2007; and

IT FURTHER APPEARS THAT as of October 24, 2007, despite reminders from AAA to do so, Defendant had failed to file a pleading in response to the Complaint or otherwise defend the Complaint. Accordingly, AAA sought an entry of default against Defendant on October 24, 2007; and

IT FURTHER APPEARS THAT an Entry of Default was entered on November 9, 2007 by the Clerk of the United States District Court for the Eastern District of New York; and

IT FURTHER APPEARS THAT to date, Defendant has not filed a pleading in response to the Complaint or otherwise defended the Complaint; and

IT FURTHER APPEARS THAT AAA has established that Defendant is liable to AAA.

IT FURTHER APPEARS THAT the Court entered Default Judgment on December 19, 2007 against Defendant AAA Travel & Tours, Inc., and referred the matter to an inquest before a Magistrate Judge, but, upon request of the Plaintiff, rescinded that Default Judgment, to the extent it referred the calculation of damages to the Magistrate Judge, on January 16, 2008.

IT FURTHER APPEARS THAT the Court ordered that "Plaintiff shall submit a proposed order to the court regarding the relief sought," which Plaintiff has done.

By reason of the foregoing, it is hereby **ORDERED, ADJUDGED AND**
and is hereby
DECREED THAT Judgment shall be entered in favor of Plaintiff American Automobile Association for the following injunctive relief:

(1) Immediately and permanently enjoin and restrain Defendant, its agents, servants, employees, attorneys, and any and all persons in active concert or participation with them from all use, anywhere in the United States, of the American Automobile Association's trademarks, including "AAA," or of any combination of the letters "A" (collectively, "AAA Marks"), in any form or manner;

(2) Require Defendant, pursuant to 15 U.S.C. § 1118 to destroy all literature, signs, billboards, labels, prints, packages, wrappers, containers, advertising materials, stationery, and other items in his possession or control that contain the AAA Marks or any term, symbol, or logo

confusingly similar to the AAA Marks; to destroy any and all means in his possession or control of making any of those infringing items; and to cancel any assumed business names and other public filings that contain "AAA" and to cancel or amend any licenses or registrations that contain "AAA" so as to remove the "AAA" therefrom;

(3) Require Defendant to have deleted or removed from publication any advertisements paid for or used by him that contain any of the AAA Marks or any other name, mark, or logo confusingly similar to them;

(4) Require Defendant to permanently delete and destroy all electronic content, including all websites, domain names, and other electronic materials displaying the AAA Marks or any other name, mark, or logo confusingly similar to them; and

(5) Require Defendant to file with the Court and serve on AAA, within thirty (30) days after entry of this Judgment by Default, a report in writing under oath setting forth in detail the manner in which Defendant has complied with the Court's injunction and orders.

Dated: New York, New York
January 25, 2008

so ordered.

s/Nicholas G. Garauifs

UNITED STATES DISTRICT JUDGE